

**REMARKS**

At the time of the Notice of Allowance dated January 21, 2009, claim 4 was pending and allowed in the present Application. Claim 19 has been added, which is a "Beauregard-style" claim with the same limitations as allowed claim 4.

In this regard, the Examiner is directed to M.P.E.P. § 714.16(d), entitled "Amendment After Notice of Allowance, 37 CFR 1.312," which states:

After the Notice of Allowance has been mailed, the application is technically no longer under the jurisdiction of the primary examiner. He or she can, however, make examiner's amendments (see MPEP § 1302.04) and has authority to enter amendments submitted after Notice of Allowance of an application which embody merely the correction of formal matters in the specification or drawing, or formal matters in a claim without changing the scope thereof, or the cancellation of claims from the application, without forwarding to the supervisory patent examiner for approval. (emphasis added).

Thus, as clearly stated in M.P.E.P. § 714.16(d), the Examiner has the authority to enter an Amendment that does not change the scope thereof. Applicant's position is that newly added claim 19 is to limitations that the Examiner has already considered and indicated as being allowable. Therefore, Applicant respectfully solicits the Examiner to enter the proposed Amendment.

Application No.: 10/691,006

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 09-0461, and please credit any excess fees to such deposit account.

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Respectfully submitted,

/Scott D. Paul/

Scott D. Paul

Registration No. 42,984

Steven M. Greenberg

Registration No. 44,725

Phone: (561) 922-3845

CUSTOMER NUMBER 46320